

UP

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

U.S. DISTRICT COURT
EASTERN DISTRICT - WI
FILED

2022 DEC -5 P 2:45

NICHOLAS EARL REZNY, ET AL.

CLERK OF COURT

Plaintiffs,

v.

Case No. 22-CV-1285-LA

WISCONSIN DEPARTMENT OF
FINANCIAL INSTITUTIONS, ET AL.,

Defendants.

CIVIL L.R. 7(h) NON-DISPOSITIVE MOTION OF *PRO SE* DEFENDANTS JEFFREY
SWEETLAND AND MARGARET MURPHY FOR EXTENSION OF TIME
TO RESPOND TO PLAINTIFFS' COMPLAINT

We, pro se defendants Jeffrey Sweetland¹ and Margaret Murphy (defendants no. 14 on page 2 of plaintiffs' complaint) move the court, pursuant to Rule 6(b)(1)(A), Fed.R.Civ.P., for an order extending their times to respond to the complaint. In support of this motion, we show the court the following:

1. Plaintiffs filed their 85-page complaint (Dkt. No. 1) against well over 100 defendants on October 31, 2022. Pursuant to plaintiffs' consent (Dkt. No. 2), the case was originally assigned to Magistrate Judge Stephen Dries.

2. In his report and recommendation issued November 9, 2022 (Dkt. No. 3), Magistrate Dries found the complaint frivolous and concluded that it "failed to state a credible cause of action" (pp. 2-4). He therefore recommended that a district judge dismiss the action and enter judgment accordingly (p. 5).

¹The complaint identifies me as "Attorney Jeffrey Sweetland." Although I am an attorney, Wis. Bar No. 1001737, admitted to practice in this court, I am filing this motion as a *pro se* defendant, representing only myself and no other party.

3. The case was reassigned to District Judge Lynn Adelman. To date Judge Adelman has not ruled on Magistrate Dries's report and recommendation.

4. Mr. Sweetland received copies of the summons and complaint on Thursday, November 17, 2022. Assuming solely for the sake of argument that this constituted proper service of process, Mr. Sweetland's response to plaintiffs' complaint will be due on Thursday, December 8, 2022.

5. Ms. Murphy received copies of the summons and complaint on Saturday, November 19, 2022. Assuming solely for the sake of argument that this constituted proper service of process, Ms. Murphy's response to plaintiffs' complaint will be due on Monday, December 12, 2022.

6. We believe that an extension of the time to file our responses to plaintiffs' complaint to fourteen (14) days after the entry of an order ruling on Magistrate Dries's report and recommendation, is reasonable and consistent with the time periods prescribed in Rule 12(a)(4) and (g), Fed. R. Civ. P.

7. We further believe that the *pro se* letter motion of defendants Charles Dee, *et al.* ("Hi-Mount Neighbors") for a thirty (30) day extension of time to respond (Dkt No. 6) is reasonable and appropriate for the reasons stated therein and submit that the same reasons apply to us. Accordingly, we submit that an extension of the time to file our responses to plaintiffs' complaint be extended to the later of (a) 14 days after the entry of an order ruling on Magistrate Dries's report and recommendation, and (b) 30 days after the dates that our responses are currently due, is reasonable and appropriate.

8. Additionally, if Judge Adelman, in his order, accepts Magistrate Dries's recommendation and dismisses the case, further pleading may not be necessary.

WHEREFORE, Mr. Sweetland requests an extension of the time to file his response to plaintiffs' complaint the later of (a) 14 days after the entry of an order ruling on Magistrate Dries's report and recommendation, and (b) January 7, 2023, that is, 30 days after December 8, 2023; and

WHEREFORE, Ms. Murphy requests an extension of the time to file hers response to plaintiffs' complaint the later of (a) 14 days after the entry of an order ruling on Magistrate Dries's report and recommendation, and (b) January 9, 2023, that is, 30 days after December 10, 2022.

Dated at Milwaukee, WI on December 5, 2022.



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Margaret Murphy
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AFFIDAVIT OF SERVICE

State of Wisconsin.)
)
Milwaukee County)

ss

JEFFREY P. SWEETLAND, being duly sworn, on oath deposes and states:

1. I am an adult resident of the City of Milwaukee in Milwaukee County.
2. On December 5, 2022, I placed a copy of the within and foregoing *MOTION OF PRO SE DEFENDANTS JEFFREY SWEETLAND AND MARGARET MURPHY FOR EXTENSION OF TIME TO RESPOND TO PLAINTIFFS' COMPLAINT* in a properly-addressed sealed envelope with sufficient first-class postage affixed thereto to ensure timely delivery, addressed to each of the following:

Nicholas Earl Rezny
2154 N. 48th St.
Milwaukee, WI 53208

Jack Boblick
2032 N. Hi-Mount Blvd.
Milwaukee, WI 53208

Mathew & Andrea Loss
6428 W. Washington Blvd.
Wauwatosa, WI 53213

ARDCGroup LLC
American Community
Re-Development Group
4812 W. Lloyd St.
Milwaukee, WI 53208

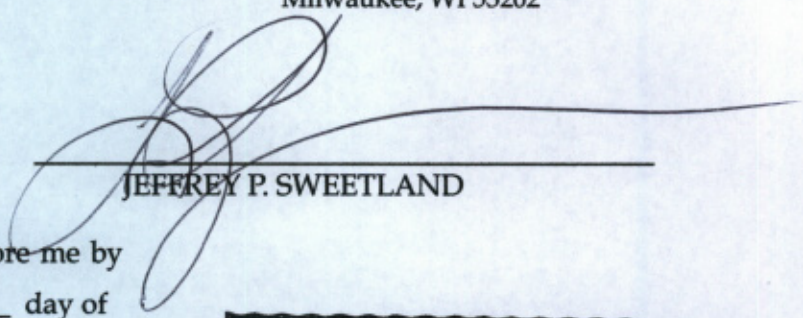
Betty & Carl Nilssen
2016 N. Hi-Mount Blvd.
Milwaukee, WI 53208

Darrel & Barbara Jacobs
1930 N. Hi-Mount Blvd.
Milwaukee, WI 53208

Charles Dee
Ann Landre
2024 N. Hi-Mount Blvd.
Milwaukee, WI 53208

Ryan & Sara Janacek
2013 N. Hi-Mount Blvd.
Milwaukee, WI 53208

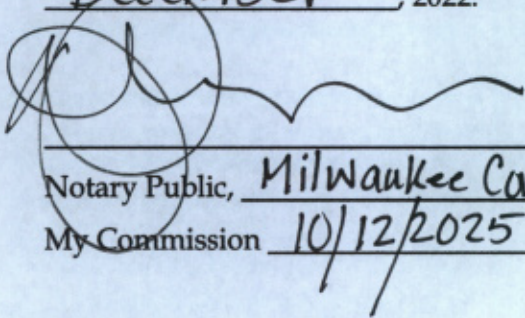
Theresa A. Montag
Asst. City Attorney
City Hall, Suite 800
200 E. Wells St.
Milwaukee, WI 53202



JEFFREY P. SWEETLAND

SUBSCRIBED AND SWORN TO before me by
JEFFREY P. SWEETLAND this 5 day of
December, 2022.

DIA WESNER
Notary Public
State of Wisconsin



Notary Public, Milwaukee County, Wisconsin
My Commission 10/12/2025